UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : DOCKET NO. 17-cr-00121-01

VERSUS : JUDGE WALTER

JUSTIN FRY : MAGISTRATE JUDGE KAY

REPORT AND RECOMMENDATION ON FELONY GUILTY PLEA BEFORE UNITED STATES MAGISTRATE JUDGE

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of

Guilty Plea and Allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned U. S. Magistrate Judge on March 13, 2018 at which time the defendant expressed a desire to waive his right to plead guilty before a District Judge and enter into a plea before the U. S. Magistrate Judge. Defendant indicated on the record his desire to consent to proceed before the undersigned and executed a waiver. Defendant was at all times

represented by counsel, Randall McCann.

After said hearing and for reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that his plea of guilty is knowing and voluntary, that his guilty plea to Count One of the Indictment is fully supported by the written factual basis acknowledged

by defendant orally in court and by his signature on the written document. This factual basis

supports each essential element of the offense to which the defendant pled.

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Therefore the undersigned U.S. Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Justin Fry, and that he be finally adjudged guilty of the offense charged in Count One of the Indictment.

Defendant is to remain in the custody of the U.S. Marshal pending sentencing which is set for November 5, 2018, at 9:00 a.m., before the Honorable Donald E. Walter in Lake Charles, Louisiana.

THUS DONE AND SIGNED in Chambers this 14th day of March, 2018.

UNITED STATES MAGISTRATE JUDGE